

DUTY STATEMENT

CDCR INSTITUTION OR DEPARTMENT California Correctional Health Care Services		POSITION NUMBER (Agency – Unit – Class – Serial) 042-060-5795-003				
UNIT NAME AND CITY LOCATED Office of Legal Affairs Elk Grove, CA		CLASSIFICATION TITLE Attorney III				
		WORKING TITLE				
		COI Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	WORK WEEK GROUP SE	CBID R02	TENURE P	TIME BASE FT
SCHEDULE (WORKING DAYS AND WORKING HOURS) a.m. to p.m. (Approximate only for FLSA exempt classifications)		SPECIFIC LOCATION ASSIGNED TO 8280 Longleaf Drive, Elk Grove				
INCUMBENT (If known)		EFFECTIVE DATE				
YOU ARE A VALUED MEMBER OF THE CALIFORNIA CORRECTIONAL HEALTH CARE SERVICES' (CCHCS) TEAM. YOU ARE EXPECTED TO WORK COOPERATIVELY WITH TEAM MEMBERS AND OTHERS TO ENABLE CCHCS TO PROVIDE THE HIGHEST LEVEL OF SERVICE POSSIBLE. YOUR CREATIVITY AND INGENUITY ARE ENCOURAGED. YOUR EFFORTS TO TREAT OTHERS FAIRLY, HONESTLY, AND WITH RESPECT ARE CRITICAL TO THE SUCCESS OF CCHCS' MISSION.						
PRIMARY DOMAIN:						
Under general direction of the Chief Counsel, serves as one of the highest-level advisors to, and representative for the Receiver appointed by the United States District Court in the case of Plata v. Newsom regarding sensitive and complex legal matters. Duties are typically characterized by assignments involving litigation before state and federal courts of a high degree of sensitivity and difficulty, and advice and representation regarding broad or specialized areas of law pertaining to the powers, functions, obligations, operations and transactions of the federal court's receivership; advice to all administrative, personnel, financial, accounting, contractual, and other operational areas of California Correctional Health Care Services; representation of the department in petitions for habeas corpus; and the development, review and interpretation of legislation, rules and regulations necessary for the transformation of the prison medical system.						
% of time performing duties	Indicate the duties and responsibilities assigned to the position and the percentage of time spent on each. Group related tasks under the same percentage with the highest percentage first. (Use addition sheet if necessary)					
ESSENTIAL FUNCTIONS						
40%	Provides oral and written legal advice and legal expertise in complex and sensitive matters related to patient-specific medical cases, including urgent/emergent concerns brought forth by internal and external legal entities, including plaintiffs' counsel. Coordinates and facilitates the bimonthly call with medical leadership in the field and plaintiffs' counsel and ensure timely and appropriate resolution to medical cases. Provides legal advice and expertise on written responses to Plata "Paragraph 7" requests for information regarding complex inmate healthcare issues for the purpose of ensuring timely access to medical care for the patient population. Provides guidance regarding provider operations and the mitigation of risk. Confers with and/or corresponds with clinical and administrative staff, outside counsel and members of the public as necessary. Provides guidance to the Health Care Compliance Support Section and regarding utilization management issues. Trains health care providers.					
30%	Provides advice regarding inmate healthcare appeals, assists in responding to inmates and their					

<p>15%</p> <p>10%</p> <p>5%</p>	<p>representatives' correspondence, tours institutions as needed to resolve issues raised by the plaintiffs' attorneys in Plata, and provides general litigation support and expertise in areas such as Public Records Act requests and subpoenas. Provides guidance to the Litigation Support Section.</p> <p>Handles complex rulemaking actions affecting sensitive and high profile aspects in the development of Title 15 regulations for California Correctional Health Care Services (CCHCS), including conducting pre-rulemaking public meetings and preparation of the rulemaking file meeting all legal requirements. Handles formal and informal rulemaking interactions with the public. Provides technical and legal expertise and advises program staff in the drafting of regulations that are compatible with existing laws, court orders, and CDCR custody operations. Serves on policy and procedure; forms; and regulation workgroups as a legal expert and provides legal counsel on healthcare policies, procedures, clinical care guides and departmental forms. Assists in the integration of existing medical, mental health, and dental policies and procedures into the current California Department of Corrections and Rehabilitation (CDCR) Departmental Operating Manual (DOM) or Health Care DOM. Advises the Chief Counsel on highly sensitive policy determinations.</p> <p>Defends health care providers in inquiries, investigations, and accusations brought by their licensing bodies. Provides legal advice during the investigation of various matters, including malpractice or constitutionally inadequate care, matters involving death or serious injury, staff integrity and other matters pertaining to the delivery of health care in California's adult institutions and by out-of-state providers.</p> <p>Performs other related duties as required, including in-state travel.</p>
	<p>KNOWLEDGE AND ABILITIES</p> <p><i>Knowledge of:</i> Legal research methods and performing research; legal principles and their application; scope and character of California statutory law and of the provisions of the California Constitution; principles of administrative and constitutional law; trial and hearing procedure; and rules of evidence; court procedures; administrative law and the conduct of proceedings before administrative bodies; legal terms and forms in common use; statutory and case law literature and authorities; and provisions of laws and Government Code sections administered or enforced.</p> <p><i>Ability to:</i> Research; analyze, appraise, and apply legal principles, facts, and precedents to legal problems; analyze situations accurately and adopt an effective course of action; prepare and present statements of fact, law, and argument clearly and logically in written and oral form; prepare correspondence involving the explanation of legal matters; draft opinions, pleadings, rulings, regulations, and legislation; negotiate effectively and conduct crucial litigation; work cooperatively with a variety of individuals, organizations and maintain the confidence and respect of others; and work effectively under pressure.</p> <p>DESIRABLE QUALIFICATIONS</p> <p>Knowledge of laws related to medical practice, provider and facility licensing, medical staff policy, patient privacy, ADA, consent, public records, conflicts of interest; hospital and physician network development and service contracts; provider-payor disputes; state administrative and procurement policies and procedures; finance; construction; and other state laws, regulations and. policies bearing upon the Receiver's duties.</p> <p>Experience litigating cases in state and federal court, and in such administrative forums as the State Personnel Board, Office of Administrative Hearings, California Human Resources, and Public Employment Relations Board.</p> <p>Background and experience in medical-legal issues, disabilities issues, ability to understand medical terminology and communicate with healthcare providers on medical issues. Background and</p>

<p>experience in providing advice to governmental program areas and staff.</p> <p>Background and experience with various California prison health care class actions and their requirements and inter-relationships (including Plata v. Newsom; Armstrong v. Newsom; and Coleman v. Newsom).</p> <p>Familiarity and experience with California Business and Professions Code 800 et seq., Title 15 of the California Code of Regulations, and dealing with various healthcare regulatory boards.</p> <p>Familiarity with the role of the federal court and the receivership created thereby in the Plata case, and the distinctions and division of responsibility for inmate care and housing between CDCR and the Receiver's office.</p> <p>Experience and ability to work in an unsupervised setting, and provide advice and suggest solutions to program staff in a short timeframe.</p> <p>SPECIAL PHYSICAL CHARACTERISTICS Must be able to work long and arduous hours.</p>		
SUPERVISOR'S STATEMENT: <i>I HAVE DISCUSSED THE DUTIES OF THE POSITION WITH THE EMPLOYEE</i>		
SUPERVISOR'S NAME (Print)	SUPERVISOR'S SIGNATURE	DATE
EMPLOYEE'S STATEMENT: <i>I HAVE DISCUSSED WITH MY SUPERVISOR THE DUTIES OF THE POSITION AND HAVE RECEIVED A COPY OF THE DUTY STATEMENT</i>		
The statements contained in this duty statement reflect general details as necessary to describe the principal functions of this job. It should not be considered an all-inclusive listing of work requirements. Individuals may perform other duties as assigned, including work in other functional areas to cover absence of relief, to equalize peak work periods or otherwise balance the workload.		
EMPLOYEE'S NAME (Print)	EMPLOYEE'S SIGNATURE	DATE